

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Curtis Lee Staton Sr.

Docket No. 5:10-CR-43-1H

Petition for Action on Supervised Release

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Curtis Lee Staton, Sr., who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute More Than 50 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. § 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on December 15, 2010, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On April 12, 2016, pursuant to 28 U.S.C. § 2255, the defendant's sentence was reduced to 60 months. Curtis Lee Staton, Sr., was released from custody on April 12, 2016, at which time the term of supervised release commenced.

On September 13, 2016, a Motion For Revocation was filed, and a warrant was issued after the defendant committed the offenses of Felony Possession of Cocaine, Felony Possession With Intent to Manufacture, Sell, and Distribute a Schedule II Controlled Substance, Misdemeanor Possession of Drug Paraphernalia (16CR052554), and Misdemeanor Resisting Public Officer (16CR052555) in Edgecombe County, North Carolina, and failed to notify his probation officer of these offenses. On January 4, 2017, the court revoked supervision and continued the defendant on the previously imposed conditions of supervised release.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On February 6, 2018, the defendant tested positive for cocaine use, and the results were confirmed by Alere Laboratory on February 11, 2018. When confronted with the results of the test, the defendant signed an admission of drug use statement advising he used cocaine on or about February 4, 2018. The defendant received a verbal reprimand and was counseled about his actions. In response to this drug use, the defendant has been referred for substance abuse treatment at Straight Walk Family Services in Rocky Mount, North Carolina, and will comply with increased drug testing as a condition of the Surprise Urinalysis Program. As a sanction, we are recommending the defendant be required to participate in the DROPS Program, beginning at the second use level. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

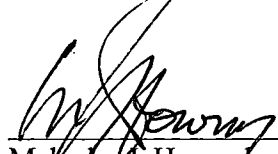
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Taron N. Seburn
Taron N. Seburn
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2335
Executed On: March 5, 2018

ORDER OF THE COURT

Considered and ordered this 6th day of March 2018, and ordered filed and made a part of the records
in the above case.



Malcolm J. Howard
Senior U.S. District Judge